

TEMPORARY

AMENDED

Serial No. **58856 T**

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. MAY 21 1993
Returned to applicant for correction. JUN 18 1993
Corrected application filed. AUG 3 - 1993 Map filed. AUG 3 - 1993

The applicant Lac Bullfrog Inc.
P. O. Box 519 of Beatty
Street and No. or P.O. Box No. City or Town
Nevada 89003 hereby make application for permission to change the
State and Zip Code No. Point of Diversion of a portion.
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under Permit appropriations No. 51846
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.

- The source of water is underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 1.50 CFS
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Mining, milling, domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Mining, milling, domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15 T.12S.,
Describe as being within a 40-acre subdivision of public survey and by course and
R.46E., M.D.B.&M at a point from which the W $\frac{1}{4}$ Corner of Section 15 T.12S,
distance to a section corner. If on unsurveyed land, it should be stated.
R.46E, M.D.B.&M. Bears S-38 $^{\circ}$ -50'-09W a distance of 3,397.32' feet.
- The existing permitted point of diversion is located within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, T.12S,
If point of diversion is not changed, do not answer.
R.47E., M.D.B.&M at a point from which the NW corner of Section 31, T.12S.,
R.47E., M.D.B.&M bears N 44 $^{\circ}$ 55' 48" West a distance of 2578.56 feet.
- Proposed place of use 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
24, 25, 26, 27, 28, 33, 34, 35, 36, T.12S, R46E, M.D.B.&M: Sections 7, 18, 19, 30
and 31 T.12S, R.47E, M.D.B.&M; Sections 1, 2, 3, T.13S R.46E., M.D.B.&M.
- Existing place of use Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36, T12S, R46E, M.D.B.&M: Sections 7, 18,
manner of use of irrigation permit, describe acreage to be removed from irrigation.
19, 30 and 31 T.12S, R.47E, M.D.B.&M; Sections 1, 2, 3, T.13S R.46E., M.D.B.&M.
- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drill well, pump and pipe line
State manner in which water is to be diverted, i.e. diversion structure,
distribution system.
ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works 100,000
- Estimated time required to construct works completed 2/15/93 Depth Drilled 600'

14. Estimated time required to complete the application of water to beneficial use..... N/A

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Annual consumption use of this well, in combination with wells specified on permit appropriation No. 51841 through 51848 and 51891 will not exceed 4.46 cfs (2,000 gpm). The water use is temporary in nature.

By..... s/ J.P. Bingham
Box 519
Beatty NV 89003
Compared..... ab/se ab/se
Protested.....

APPROVAL OF STATE ENGINEER:

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 51846 is issued subject to the terms and conditions imposed in said Permit 51846 and with the understanding that no other rights on the source will be affected by the change proposed herein. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. This source is located within an area designated by the State Engineer pursuant to NRS 534.030.

Pursuant to NRS 534.120, the State Engineer declares mining and milling to be a preferred use of the limited resource within the Amargosa Desert Ground Water Basin as described in the State Engineer's Order No. 724, dated May 14, 1979.

This permit is issued with the clear understanding that the State Engineer does not waive any right to regulate and restrict groundwater withdrawals under this permit if withdrawals under existing rights increase or exceed the perennial yield of the groundwater basin.

The permittee shall submit a report to the State Engineer on a semi-annual basis which contains all surface and groundwater measurements and water use data from each of the permittee's wells which includes the pumping under this temporary permit.
(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 1.5 cubic feet per second , but not to exceed 1076 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 30th day of November
A.D. 19 93
State Engineer

EXPIRED
DATE NOV 29 1994

(PERMIT TERMS CONTINUED)

The State Engineer retains the right to impose future conditions as necessary upon review and evaluation of data submitted as a result of the monitoring program on file with the State Engineer.

This temporary permit is further issued subject to the understanding between St. Joe Bullfrog, Inc. (Bond Gold) and the National Park Service dated September 16, 1988, as set forth in the document titled The National Parks Service Position with Respect to the Applications for Water in Amargosa Valley by St. Joe Bullfrog, Inc. (Bond Gold) on file in the State Engineer's office.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The duty under Permits 51841, 51842, 51843, 51844, 51845, 51846, 51847, 51848, inclusive, 58268 and 58856-T is initially limited to 1500 acre-feet for the calendar year 1989. The annual duty of water allowed under Permits 51841, 51842, 51843, 51844, 51845, 51846, 51847, 51848, inclusive, 58268 and 58856-T may be raised to a maximum of 3200 acre-feet per year as approved and authorized by the State Engineer after the review of the monitoring data.

Any water not used for mining and milling must be injected back into the groundwater reservoir.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water diverted from each well and the amount of water used in the mining and milling process and the amount of water injected.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 29, 1994 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

